GOVERNMENT OF MYSORE.

LABOUR AND MUNICIPAL ADMINISTRATION DEPARTMENT (LABOUR).

Labour Dispute :—Industrial Dispute between the Workmen and the Management of International Instruments (P) Limited, 140, Hosur Road, Bangalore-11.

Award of the Additional Industrial Tribunal, Bangalore—published.

Read the following papers :

(i) Letter No. IT No. 92/66-67, dated 23rd December 1966 from Shri V. C. Ramachandran, Presiding Officer, Additional Industrial Tribunal, Bangalore.

BEFORE THE ADDITIONAL INDUSTRIAL TRIBUNAL IN MYSORE, BANGALORE.

Dated 23rd December 1966.

Present :

Sri V. C. Ramachandran, B.Sc. (Lond.), Bar-at-law.
Presiding Officer.

A. I. D. No. 20 of 1966.
I. D. No. 126 of 1966.

The Workmen of International Instruments (P) Ltd., Audugodi, Bangalore-11. ... ... *I Party.*

Vs.

The Management of International Instruments (P) Ltd., 140, Hosur Road, Bangalore-11. ... ... *II Party.*

Appearances :

For the I Party.—Sri G. M. Rego and F. A. D'Souza, Advocates, No 33, Infantry Road, Bangalore.

For the II Party.—Sri B. R. Puttarenjappa, M.A., LL.B., and Sri B. Gopaliah, Secretary and Joint Secretary respectively of Mysore State Employers' Association, Bangalore.

Reference :

Government Order No. LMA 259 LLD 66, dated 7th June 1966.

AWARD.

The Government of Mysore have in their Order No. LMA 259 LLD 66, dated 7th June 1966 referred an industrial dispute between the Workmen and the Management of International Instruments (P) Ltd., No. 140, Hosur Road, Bangalore-11, for adjudication to the Industrial Tribunal at Bangalore under Section 10(1)(d) of the Industrial Disputes Act, 1947. This case was registered as I. D. No. 126 of 1966 and by an Order No. LMA 595 LLE 66, dated 29th November 1966, the Government of Mysore withdrew the proceedings of this case from the Industrial Tribunal and transferred the same to the Additional Industrial Tribunal, Bangalore, for disposal. The case was re-registered by this Tribunal as A.I.D. No. 26 of 1966.

The two points of dispute referred to by the Government in their order of reference are :—

"(I) (a) Is the Management of International Instruments (P) Ltd., Bangalore-11, justified in declaring a lock-out on and from 19th May 1966.

(b) If not, to what reliefs are the workers entitled to ?"

2. The workmen of the Company, who will be referred to as I Party, contended that the lock-out by the Management, which is II Party, from 19th May 1966 to 9th June 1966 is illegal, as opposed to the provisions of Section 22(2)(a)(b) of the Industrial Disputes Act, 1947 and also against the code of discipline and grievance procedure, which is an agreement entered into between the parties on 17th November 1966 for a period of 18 months. The workmen, therefore, claim payment of wages between the period of 19th May 1966 and 9th June 1966 and to direct disciplinary action against the Managing Engineer and the supervisor.

3. The II Party resisted the claim of the workmen on the ground that it is the workers who actually went on strike on 13th May 1966 and on 18th May 1966, and that they indulged in noisy demonstration and collective shouting and therefore, the Management was compelled to declare lock-out as the attitude and behaviour of the workers was such that there was a grave apprehension of disturbance to peace involving threat to security and safety of persons and property. They submitted the lock-out is perfectly justified in the circumstances and that they

are not liable for the wages during that period to the members of the I Party.

4. Some additional Issues were framed and the case was posted for evidence. The Parties, however, came to an Agreement and filed the terms of settlement before this Tribunal. According to that Settlement, the Management have agreed to pay to the workmen not later than the first week of January 1967 the amount of wages lost by them as a consequence of lock-out. Hence the prayer of the workmen as put-forth in the Claim Statement has been conceded by the Management and there is no longer any dispute. The answer to the first Issue need not be given in view of the Settlement as the question whether the lock-out is justified or not is purely academical and does not serve any purpose. The workmen are entitled to the reliefs *viz.* to the Payment of Wages during the period of the lock-out. The other claim made that disciplinary action may be taken against the Managing Engineer and the Supervisor is not the subject matter of the industrial dispute. Hence, in view of the settlement which concedes the demands of the I Party, I make the following Award.

AWARD

The II Party *viz.* the Management of M/s. International Instruments (P) Ltd., Bangalore, do pay not later than the first week of January 1967 to such of the present employees who are on the rolls of the Company during the period of lock-out effective from 19th May 1966 to 9th of June 1966 the amount of wages or salaries lost by them as a consequence of the lock-out.

A copy of the Settlement is herein annexed which shall form part of the Award. Each party shall bear its own cost.

V. C. RAMACHANDRAN,
Presiding Officer,
Additional Industrial Tribunal,
Bangalore.

BEFORE THE HON'BLE ADDITIONAL INDUSTRIAL TRIBUNAL, BANGALORE.

A. I. D. No. 20 of 1966.

Workmen of Messrs International Instruments (Private) Limited, Bangalore; ... I Party

And

Management of Messrs International Instruments (Private) Limited, Bangalore. ... II Party

The Parties abovenamed beg to file the following Settlement :—

PREAMBLE :

1. Realising that the establishment of harmonious relations between the employees and the Management is the best way to ensure the progress of the Industry, with increased production and consequential benefits to the employees themselves, the First Party Union and the Management have carried on direct negotiations for the settlement of the present dispute referred for adjudication and have arrived at the following settlement this Twenty first day of December 1966 in full and final satisfaction of the claims of the First Party.

TERMS OF SETTLEMENT :

2. The Employees of the International Instruments (PRIVATE) Limited and the Union on their behalf categorically assure the Management as a measure of goodwill though it is not a legal obligation that they will put forth their best endeavours to give increased production, attain maximum efficiency and maintain proper discipline; they further assure that the Employees and the Union will abide by the provisions of the Cade of Discipline and negotiate directly with the Management for redressal of their grievances if any, for a minimum period of one year, that is, upto the end of 1967.

3. The Management appreciates the spirit in which the assurances and undertakings in clause (2) above have been extended by the Employees and the Union on their behalf and will reciprocate in the following manner, as a gesture of goodwill and not as a matter of legal obligation:

The Union assures the Management that the production of completed instruments from the month of December 1966 will be of the magnitude of 50 to 53 thousands of pieces of instruments (which target has been fixed only on the basis of the normal effiiciency for the present strength of 265 employees in the production Department as a whole). The Management will pay, not later than the first week of January 1967, to such of the present employees who were on the rolles of the company during the period of lockout effective from 19th May 1966 to 9th June 1966, the amount of wages/salaries lost by them as a consequence of the lockout. Due allowance will be given to any short fall in production due to no fault of the employees.

4. Both the parties pray that the Hon'ble Tribunal may be pleased to pass an Award on the above terms.

5. It is agreed that each party should bear its own costs.

Dated at the Bangalore THIS TWENTY-FIRST DAY OF DECEMBER, ONE THOUSAND NINE HUNDRED AND SIXTY-SIX.

For the I Party.

.....

Vice President

.....

G. Secretary,

.....

Joint Secretary

.....

H. Treasurer
International Instruments
Employees Union,
Reg. No. 756,
Bangalore-30.

For the II Party.

1 Sd/.....

Administrative Officer,
International Instrument P. Ltd.
140. Hosur Road,
Bangalore-30.

2. Sd .....
Authorised Representative.

3. Sd.....
Authorised Representative.

"True Copy"
V. C. RAMACHANDRAN,
Presiding Officer,
Additional Industrial Tribunal,
Bangalore.

ORDER.

Bangalore, dated 3rd January 1967.

S. O. 158 .—WHEREAS by State Government Order No. PLM 259 LLD 66, dated 3rd January 1967, the Industrial Dispute between the Workmen and the Management of International Instruments (P) Limited, 140, Hosur Road, Bangalore-11 was referred to the Industrial Tribunal, Bangalore for adjudication ;

AND WHEREAS, the Additional Industrial Tribunal, Bangalore has submitted to the State Government its award in respect of the said Industrial Dispute ;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. LMA 259 LLD 66.]

By Order and in the name of the Governor of Mysore,

1872 G. G. PUROHIT, *Under Secy*